

IN THE UNITERSTATES PATENT AND TRADEMARK OFFICE

In re	Application of: Thomas et al.)
Appli	cation No: 10/792,204)
Filing	g Date: January 20, 2004)
For:	RESORBABLE RADIOPAQUE MARKERS AND RELATED MEDICAL IMPLANTS)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PETITION TO PERMIT FILING OF PATENT APPLICATION WHEN INVENTOR REFUSES TO SIGN UNDER 37 C.F.R. 1.47(a)

Dear Sir:

Applicants hereby petition under 37 C.F.R. 1.47(a) to permit acceptance of this application filed by the other inventors on their behalf and the non-signing inventor. The non signing inventor has refused to sign a Declaration for Patent Application.

Attached as Appendix A is a copy of our letter dated March 31, 2004 sent to the non-signing inventor, James E. Stephan. Attached as Appendix B is a copy letter from James E. Stephan acknowledging receipt of our letter and Declaration for Patent Application and the will not execute the Declaration for Patent Application.

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The last known address for James E. Stephan is:

6010 Wright Street Arvad, CO 80004

The Commissioner is hereby authorized to charge Deposit Account No. 50-1600 for any other fees deemed to be due in connection with this petition.

Respectfully submitted,

Kenton R. Mullins Registration No. 36,331

Date: September 27, 2004

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